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State Auditor Acknowledges Judiciary and Family Court Initiatives Judiciary Finds Recommendations Helpful

In its report released today, "Audit of the Family Court Complaints Process," the State Auditor found only a few complaints after reviewing hundreds of Family Court case files. The Auditor also found that "various resources have been established to address the public's complaints in court-related matters."

"We're pleased that, after reviewing more than five hundred cases statewide, the Auditor found a total of only five complaints," said Frances Wong, Senior Family Court Judge of the First Judicial Circuit. "The Auditor had our full cooperation and was provided with every child abuse, paternity, child custody, and divorce case file requested. Nothing in the files were censored or redacted by the court," Wong said.

"We also appreciate the Auditor's acknowledgment of the many limitations and difficulties under which we must operate," said Wong. The Auditor found that Family Court has seen dramatic increases in self-represented litigants over the past three years, creating many challenges for the courts, such as court delays and increased demand on staff resources. The Auditor said, "Self-represented litigants have unrealistic expectations that the court will solve all of their problems. This factor and their unwillingness to accept the court's judgment often result in increased court filings or post-judgment motions."

Of the complaints submitted directly to the Auditor in response to its request, many were simply byproducts of the court's inherent adversarial system and seemed directed more at the case's outcome, the report said. In addition, the Auditor found that many complaints were about agencies not subject to the Family Court's control.

The Auditor said complainants appeared to lack an understanding of the complaints process or the court system, and commended the Judiciary "for implementing several initiatives, including seminars, community gatherings, public presentations, and publications in newspapers to inform the public about the justice system."

The Auditor's report also acknowledged that the court's Ho'okele service centers provide self-help packets, explanation of court forms and procedures, assistance in completing forms, and information about other related services. As the number of self-represented litigants increases so will the need for the courts to help individuals with forms and procedures, the report said.

The Judiciary found the Auditor's recommendations helpful. "The Judiciary will seriously consider the Auditor's recommendations in light of available resources. We especially agree that many people do not understand the court process and that the Judiciary has a continuing responsibility to educate the public," said Wong. "However, with a statewide caseload of 54,347 in Fiscal Year 2000-01, the Family Courts had to make difficult resource allocation decisions about improving operational and organizational efficiency. Considering budgetary constraints, our judges and staff have provided exemplary customer service while, first and foremost, protecting the neutrality of judicial proceedings in which the welfare of children and families is determined."

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